

Remarks

This Amendment is responsive to the final Office Action mailed August 11, 2005. In that Office Action, and all claims (1-17) were finally rejected as being either anticipated by U.S. Patent No. 6,510,748 (hereinafter, "Jeffords") or obvious over Jeffords et al. in view of Applicant's admitted prior art.

As a result of this Amendment, independent claims 1 and 11 are hereby amended without prejudice in hopes of expeditiously furthering prosecution of the present application to allowance, as discussed in an interview conducted under 37 C.F.R. § 1.133 with Examiner Boutah on November 10, 2005. Dependent claims 3-4 and 12-15 are also amended in similar context to more appropriately depend from amended claims 1 and 11. With that said, reconsideration of this application is respectfully requested in view of the preceding amendments and following remarks.

A. Statement on the Substance of an Interview

The undersigned kindly thanks Examiner Alina Boutah for her time in preparing for and attending the interview on November 10, 2005, in which the undersigned and Examiner Boutah discussed the substance of the above-noted rejections as well as the amendments provided above. In this interview, the undersigned and Examiner Boutah discussed distinctions between Jeffords and the claims of the present application. The following remarks are intended to not only fully respond to the final Office Action dated August 11, 2005, but also provide a complete and accurate record of the substance of this interview conducted on November 10, 2005.

B. Rejections based on Jeffords

Keeping in mind that a claim can only be rejected as anticipated by a prior art reference if each and every limitation "as set forth in the claim" is found in the reference, MPEP §2131 (citing *Verdegaal Bros. V Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d. 1051, 1053 (Fed.Cir. 1987)), Jeffords simply does not provide support for a proper anticipatory rejection of any of the claims in this application. Prior to addressing these distinctions in detail, the present invention and the teachings of Jeffords are briefly contrasted with one another.

The present invention generally relates to managing the use of resources by a plurality of processes in a distributed environment. When a process in the distributed environment is accessing or otherwise using a resource, a lock is maintained on that resource for the duration of

such access or use. The process for which the lock was created is said to be the “lock owner.” In accordance with embodiments of the present invention recited in each independent claim, the locks are associated with one or more properties such as, for example, lock type, lock scope, lock ownership and resource association. More specifically, each of these claims is directed to providing a lock owner with the ability to modify the properties of an owned lock without having to release the lock.

Jeffords is also directed to the same general theme of managing the use of resources (e.g., objects) by a plurality of processes in a distributed environment. However, the similarities between Jeffords and the present invention begin and end within the breadth of this general environment. Jeffords is completely silent and altogether fails to suggest any process related to the modification of properties of locks on resources. Indeed, Jeffords doesn’t even mention properties in the context of such locks. Instead, Jeffords is only concerned with the granting and releasing of locks on resources for requesting processes in the disclosed distributed environment.

With specific regard to the passages cited in the Final Office Action, Jeffords describes methodology by which processes request access to objects and are subsequently granted or denied such access depending on whether the object is “locked.” Jeffords, at Col. 3, line 65 - Col. 4, line 18. If the object is locked, Jeffords teaches a queue in which the requesting process waits until the lock is released. Jeffords, at Col. 5, lines 33-34. Otherwise, if the object is not locked, Jeffords teaches granting a lock on the object and associating that lock with the requesting process, which therefore becomes known as the “lock holder.” Jeffords, at Col. 4, lines 3-6. The lock is then maintained for the lock holder thereby precluding other processes from accessing the object until the lock holder decides to release the lock. Jeffords, at Col. 4, lines 10-14.

Turning now to the claims, original claims 1, 8 and 11, each of which are independent claims, recite modification of lock properties in various formats. For example, original claim 1 recites this embodiment of the present invention as a method, claim 8 as a computer readable medium having a locked resource stored thereon and claim 11 as a system. As discussed with Examiner Boutah in the November 10, 2005 interview, the recitation of lock property modification distinguishes these claims from Jeffords insofar as Jeffords fails to not only teach such modification, but is completely silent as to locks having properties whatsoever. For at least these reasons, not only are original claims 1, 8 and 11 believed novel over Jeffords, but without

any form of motivation to teach such properties, also believed non-obvious over Jeffords in combination with any possible reference.

Nevertheless, per discussions in the November 10, 2005 interview and in an attempt to expedite prosecution of this application around the outstanding rejections based on Jeffords, claims 1 and 11 are hereby amended to clarify the recited embodiment as being directed to the modification of properties of resource locks. Claims 3-4, which depend from claim 1, and claims 12-15, which depend from claim 11, have also been amended consistent with the amendments to their base, independent claims. With regard to claims 8-10, Examiner Boutah agreed that original claim 8 was appropriately distinguished from Jeffords in its independent form and, therefore, that no amendments were warranted to expedite prosecution around these Jeffords-based rejections.

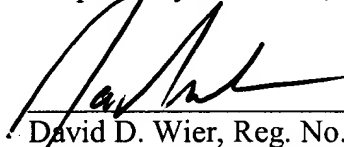
For at least these reasons, claims 1, 8 and 11 are believed allowable over Jeffords, as are claims 2-7, 9-10 and 12-17, each of which depend directly or indirectly from one of these base independent claims.

Conclusion

The above amendments and accompanying remarks is believed to be fully responsive to all points raised in the final Office Action mailed August 11, 2005. Still, the Office Action may contain other arguments and rejections, particularly with respect to dependent claims, that are not directly addressed herein due to the fact that those arguments and rejections are rendered moot in light of the preceding arguments in of patentability. Hence, failure to directly address an argument raised in the Office Action should not be taken as an indication that the Applicant believes the argument to have merit. Furthermore, the claims of the present application may include other features, not discussed in the above remarks, which are not shown, taught, or otherwise suggested by Jeffords. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

Should the Examiner have any remaining questions or concerns, she is encouraged to again contact the undersigned attorney by telephone to expeditiously resolve such concerns. Other than the fee accompanying the RCE, no fees are believed due with this Amendment. Indeed, an extension of time in which to reply to the August 11, 2005 Office Action is not believed due because November 11, 2005 was Veteran's day and followed by a weekend. However, if this is not the case, please charge any other required fees, including any extension fees under 37 C.F.R. §1.136(a) necessary to maintain pendency of the present application, to Deposit Account No. 13-2725.

Respectfully submitted,



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